

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PROSYNTHESIS LABORATORIES, INC.,	§	
D/B/A UNJURY PROTEIN	§	
	§	
<i>Plaintiff,</i>	§	Case No. 3:22-cv-00655
	§	
v.	§	JURY TRIAL DEMANDED
	§	
EUROFINS MICROBIOLOGY	§	
LABORATORIES, INC.	§	
	§	
<i>Defendant.</i>	§	

UNOPPOSED MOTION TO MODIFY THE BRIEFING SCHEDULE
AS TO DEFENDANT’S MOTION TO DISMISS

By agreement of Plaintiff ProSynthesis Laboratories, Inc., d/b/a Unjury Protein (“Plaintiff” or “Unjury”) and Defendant Eurofins Microbiology Laboratories, Inc. (“Defendant” or “Eurofins”) (collectively, “the Parties”), by and through their respective counsel of record, Plaintiff hereby submits the following Unopposed Motion to Modify the Briefing Schedule as to Defendant’s Motion to Dismiss. In support, Plaintiff states as follows:

1. On November 14, 2022, Unjury filed its Complaint [Dkt. 1] against Eurofins. Eurofins was successfully served with the Lawsuit on November 15, 2022.
2. On December 6, 2022, Eurofins filed its Motion to Dismiss (“Motion”) [Dkt. 9].
3. Unjury’s Response to the Motion is currently due December 27, 2022.
4. Eurofins’ Reply to the Motion is currently due January 6, 2022.
5. Due to the Parties prior commitments, relating to and including upcoming hearings, filing deadlines, and the Christmas and New Year’s holidays, Unjury respectfully requests that the Court modify the Motion’s briefing schedule as to permit Unjury to file its response in opposition by January 26, 2023 and to permit Eurofins to file its reply in support by February 17, 2023.

6. Good cause exists for this modification of the Motion briefing schedule to extend deadlines as requested herein.

WHEREFORE, pursuant to an agreement between the Parties, Plaintiff respectfully requests that the Court modify the current Motion briefing schedule to permit Unjury to file its response in opposition by January 26, 2023, and to permit Eurofins to file its reply in support by February 17, 2023.

Dated: December 9, 2022

Respectfully submitted,

/s/ Patrick Yarborough
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*Counsel for Plaintiff ProSynthesis
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CERTIFICATE OF CONFERENCE

I hereby certify that on December 8, 2022, I conferred by phone with Todd Lowther, Counsel for Defendant, and Mr. Lowther confirmed and agreed that the relief requested herein is unopposed.

/s/ Patrick Yarborough
Patrick Yarborough

CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2022, a copy of the foregoing was served on the following party electronically through the U.S. District Court, Western District of Wisconsin ECF system to all counsel of record all of whom are Filing Users of the Court's Electronic Filing System.

/s/ Patrick Yarborough
Patrick Yarborough